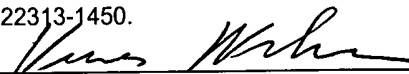


CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"	
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By:  Veronica Weinstein	

PATENT

Customer No. 22,852

Attorney Docket No. 09314-0011-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
BANDEMER et al. ) Group Art Unit: 2874  
)  
Application No.: 09/849,080 ) Examiner: Omar R. ROJAS  
)  
Filed: May 4, 2001 )  
)  
For: POLARIZATION MODE ) Confirmation No.: 3893  
DISPERSION EMULATOR )

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P.O. Box 1450  
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Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(d)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), applicants bring to the attention of the Examiner the document on the attached listing. This Information Disclosure Statement is being filed after a Notice of Allowance but before payment of the issue fee and is accompanied by a certification as specified under § 1.97(e). Commissioner is hereby authorized to charge a fee of \$180.00 as specified under § 1.17(p) to our Deposit Account No. 06-0916. Applicants respectfully request that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

The document listed in this Information Disclosure Statement is an Examination Report first issued by the European Patent Office in a counterpart European application No. 01 943

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025.5, and this Information Disclosure Statement is being filed within thirty days of the mailing date of that communication. In accordance with 37 C.F.R. § 1.704(d), no negative patent term adjustment consequences will apply to this Information Disclosure Statement.

Copy of the listed document is attached. Since the Examination Report is in German, English translations of the document is enclosed. Applicants respectfully request that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitute "prior art." If the Examiner applies the document as prior art against any claims in the application and applicants determine that the cited document does not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

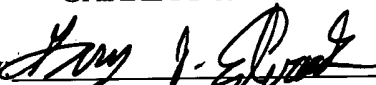
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

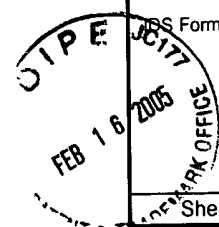
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 16, 2005

By   
\_\_\_\_\_  
Gary J. Edwards  
Reg. No. 41,008



IDS Form PTO/SB/08: Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				Application Number	09/849,080
				Filing Date	May 4, 2001
				First Named Inventor	BANDEMER et al.
				Art Unit	2874
				Examiner Name	Omar R. ROJAS
Sheet	1	of	1	Attorney Docket Number	09314-0011-00000

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-			
		US-			
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		US-			

**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		Examination Report issued in European Patent Application No. 01 943 025.5 - 1234 on January 17, 2005 (with translation).	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.